



AMENDMENT AIMED AT IMMIGRATION TO SOUTH

South Gets Badly Tangled Up in
Bill Which Includes Califor-
nia-Japan Measure.

DIRECT BLOW AT STATES' RIGHTS

Senators Tillman and Bacon Make
Strong Speeches Urging the Defeat
of the Measure—Several Republi-
cans Announce That They Will
Not Vote for It.

(By Associated Press.)
WASHINGTON, D. C., Feb. 15.—
An agreement to vote tomorrow on the
conference report on the immi-
gration bill which includes the pro-
vision intended to settle the Califor-
nia-Japanese question, was re-
ported in the Senate today as the
result of an entire day of discus-
sion on that measure.

The principal speeches were de-
livered by Senator Bacon and Till-
man, in opposition to what they
regard as an effort to prevent the
South from getting a desirable
class of immigrants.

Senator Tillman's remarks on the
Japanese situation brought a warn-
ing from Senator Lodge, who said
that if desired he should make the
discussion behind closed doors.

Senator Gallinger expressed sur-
prise that the conference should
contend that they had not injected
new matter into the Japanese re-
port and Senator Carter said he
should vote against the report en-
tirely on that ground and predicted
its defeat. Both Messrs. Bacon and
Tillman disclaimed to conduct any
fightback and many other Demo-
cratic Senators stated that if the
Georgia Senator and the South Car-
olina Senator did entertain such a
purpose they would not favor them.

During the debate a member of
the cabinet who was on the floor
told the Senators that the subject
of State immigration had received
the attentions of the cabinet and
that there had been a general con-
clusion that the terms of the bill
will not require a new ruling in the
South Carolina case.

Explaining the precise point of
his objection to the report, Mr. Ba-
con said that under the ruling of
the Department of Commerce and
Labor, the contract labor clause of
the immigration laws have been so
construed as to permit the State
immigration agent of South Car-
olina to receive contributions from
private individuals and use the money
to encourage and assist immi-
gration. Extended preparations
were being made by other Southern
States to take advantage of the in-
terpretation. All that was expected,
he said, was that the law be al-
lowed to remain as it now is.

Lodge Says It Will Be Beneficial.
The conference report will pre-
vent action by a State. Mr. Lodge
said there had not been the slight-
est intention on the part of the
conference to modify in any way
the clause which gives power to a
State to take steps to induce im-
migration. "There was," he said,
"no intention on the part of con-
ferrees to limit the rights of the
States. The clause which does not
limit contract labor, but strengthen-
ed, is without any reference to the
States."

Referring to the South Carolina
system, he said that if the system
is maintained there was not a State
which could not under a guise ag-
ency with funds provided by railroads
and manufacturers introduce any
number of contract laborers.

Mr. Lodge had no doubt that many
States would be quick to take ad-
vantage of the South Carolina ruling.
This ruling of the department
he regarded as a "closed case" and
believed it might have been pre-
sented differently and with a
different result. If the present bill
strengthened the contract labor law,
he was glad of it.

Mr. Bacon again expressed regret
that the Pacific coast provision was
coupled with the immigration amend-
ments. It was not necessary to
have resorted to this expedient. He
believed a separate measure could
have received a unanimous vote.

Mr. Gallinger expressed sympathy
for the situation in the South and
sustained Mr. Bacon's contention
that the situation was one of em-
barassment as he should feel com-
pelled to vote for the report be-
cause of the Pacific coast provision.

Mr. Bacon entered upon a detailed
discussion of the amendment to
which he objected saying it utterly
nullified the principal claim of the
law.

The Pitchfork Is Out.
When Mr. Bacon concluded Mr.
Tillman began a discussion of the
South Carolina system but indicated
that his main purpose was to re-
view another part of the conference
report. "Everyone supposed
that this immigration bill was dead"

said Mr. Tillman. "But to and be-
hold and exigency has arisen on the
Pacific coast; that strenuous individ-
uals are at work to accomplish a
certain end. The able man who
presides over the State Department
drafts an amendment to a law passed
last May by the Senate and last
June by the House and which
had been in conference ever since.
The conferees take the distinguished
man into their confidence and the
Senate is notified that this bill
must go through.

"Why," speaking in plain terms,
keep the Japanese out of California?
But there is a two fold objection
involved in the measure. The first
of these is intended to keep Jap-
anese laborers off the Pacific coast
and from getting into this country
and the conferees in furtherance of
a policy which looks to sectional
advantage, have incorporated a pro-
vision which changes the law in
regard to contract labor which will
keep the little dribble which has
started this way. "If these two pro-
visions linked together are to be
driven through Congress, the South
is ignored; the Pacific coast is
taken care of." Mr. Tillman con-
tended that this procedure must be
in pursuance of a settled policy and
made strenuous objection to it.
Continuing Mr. Tillman said, "I will
vote for an exclusion act, which
will keep the Japanese out. I do
not see why there should be a pre-
judice against them yet I am will-
ing to keep them out if it brings
war."

Senator Lodge arose at the last
remark. "If," he said in a low tone,
"we are going to discuss that ques-
tion I think we ought to do so
behind closed doors."

"I am perfectly willing to go be-
hind closed doors," Mr. Tillman re-
sponded promptly, "perhaps I can
get a heart to heart talk with some
people who will not stay here and
listen, but who have got orders
from the White House that this
report has got to go through."

"If the man at the White House
had not taken it upon himself to
meddle with everything in the Uni-
ted States we would not have this
issue here," said Mr. Tillman.

Stating his objection to any sys-
tem of contract labor to be as strong
as that of any one, Mr. Tillman
said he would favor the proper
encouragement of desirable white
immigrants to the South and he be-
lieved the government would do well
to spend one hundred million dol-
lars for that purpose. If the South
was to be discriminated against, he
maintained, because the Senator
from Massachusetts had a large
number of highly respectable con-
stituents who were opposed to the
Southern States getting immigrants
unless they get them from the
States of the Northern cities, the
South did not want this sort of
scums and riff-raff."

What the Amendment Means.
Mr. Lodge was questioned closely
to ascertain just what he construed
to be the effect of the change.

"Does it mean that a State agent
cannot go abroad and secure im-
migration," asked Mr. Tillman?
"It means he cannot use other
than State funds for that purpose,"
answered Mr. Lodge.

"Suppose the State should pay the
passage of an immigrant and then
some one should come along and
reimburse the State," asked Mr. Till-
man, "there are more ways than
one way to beat the devil about
the stump and the Senator from
Massachusetts knows just as well
as anybody else how to do it."

"That might be one way," an-
swered Mr. Lodge with added em-
phasis, "I think it ought to be
done."

Mr. Tillman then turned his at-
tention to the Japanese provision
and maintained that in placing the
provision in the report the conferees
had exceeded their authority.

Mr. Tillman continued: "I want
to know why it is," he said, "that
the President of the United States
has been permitted—if this bill be-
comes a law, and I know it will—to
dicker with labor unions, to make
bargains with labor unions, why
should the interest of labor on the
Pacific coast make it possible for the
President to issue an executive order
to prohibit the landing of a certain
class of immigrants? We ought to
have a law to regulate such a thing.
It ought not to be left to executive
discretion. There ought not to be
any bargain in here for political
purposes."

"We have heard that in the last
Presidential election an understand-
ing was reported by those whom
had charge of the campaign that if
the Mormon vote went a certain way
a certain colleague of ours would be
care for, and we have heard it talk-
ed too that the chief executive, who
was the beneficiary of that vote—
though he did not need it—has ex-
erted himself to the utmost to carry
out that agreement, and is using his
influence to stave off a vote and pro-
test in every way he can the Sen-
ator from Utah."

"These bargains are not conducive
to the public welfare. I am sick and
disgusted with this disposition on
the part of the Senate with actually
surrendering everything to the keep-
ing of the executive."

Japan Makes Denial.
(By Associated Press.)
LONDON, Feb. 15.—In a dispatch
from Tokio the correspondent of The
Times says:

"It is denied here upon good au-
thority that Japan has agreed to any
solution of the San Francisco prob-
lem depending upon restriction of the
admission of Japanese laborers to the
United States."

NEGROES SAY THERE WAS PLAN TO MASSACRE THEM

Remarkable Story Told by Wit-
nesses in the Brownsville
Shooting-up Investigation.

SOLDIERS DARED TO COME OUT

Ex-Trooper Testifies Before Senate
Committee That He Heard Corral
Boss Talk About Plot to Catch Ne-
groes in Saloon and Kill Them—
Other Witnesses.

(By Associated Press.)
WASHINGTON, D. C., Feb. 15.—
Startling testimony concerning al-
leged plans to massacre negro sol-
diers at Brownsville, Texas, by men
from the town firing over the bar-
racks to stampede the soldiers and
challenge them to come out of the
barracks today at the investigation be-
fore the Senate committee on mili-
tary affairs. The most sensational
story told was that of William Mapp,
who was a member of Company C,
Twenty-fifth Infantry.

Mapp was asked if he had ever
heard any discussion of the shooting
which caused him to suspect any per-
sons of complicity. He replied that
on the morning of the following day
he heard Willard Voschell, the reser-
vation corral boss, and a white man
who had been in charge of the corral
prior to the arrival of a battalion of
the Twenty-fifth Infantry, discussing
the case.

Credits Story to Corral Boss.
According to Mapp's story Voschell
said:

"Well, it is a good thing it hap-
pened as it did. I was out in town
last night and the crowd came in
front of me—the plan was to catch
a lot of you fellows in Allison's sal-
oon and massacre you."

Mapp said that the remark was not
addressed to him and that he did not
question Voschell. He said that Al-
lison is the former soldier who had
started the saloon for the purpose of
getting the negro soldier trade, the
other saloons having barred the
members of the negro battalion.

Voschell Summoned.
Voschell is now in Washington,
having been summoned as a witness.

Before giving this testimony Mapp
said that on the night of the shoot-
ing he had been awakened by the
firing and had gone to the window of
his quarters, and from there he saw
several gun flashes and the shots
seemed to be directed over the bar-
racks. A man with a deep voice, he
said, shouted: "Come out, you
black —" (using an opprobrious
epithet and making it applicable to
the troops). Mapp said this chal-
lenge was repeated several times dur-
ing the firing, but the call to arms
was then sounded and he hurried to
get dressed and fall in with his com-
pany.

Thought Garrison Was Attacked.

Thomas Jefferson, who was the or-
derly in Company C barracks, said
that he heard the shooting and
thought there were ten or twelve
men firing. The shots, he said, came
from the rear and near the end of
the barracks, but he could not say
whether the men were within the
wall or not. He said he saw the
flashes from guns and thought the
garrison was under attack.

Solomon H. O'Neal of Company C
also testified that the shooting on
the night of August 13 was from
near the at the end of the barracks,
and that the shots were apparently
over the barracks.

Heard Men Shoot and Yell.

He said heard a man shoot and
then yell:

"Come out, you black —"

This occurred several times, said
O'Neal.

Former Sergeant Darby W. O.
Brawner, who had charge of Com-
pany C quarters on the night of the
affray and whose absence is said to
have resulted in the order to break
open the company's gun racks, said
he slept in a room in one end of the
quarters and that he was awakened
by Corporal O'Neal. O'Neal told
Brawner that there had been firing
and a call to arms and also told to
see his commanding officer. He said
he met First Sergeant Harley and
asked him what to do and Harley
said "wait for orders."

Ordered to Break Open Gun Racks.

The witness said that when he
went back to quarters he heard Ma-
jor Penrose say: "If you can't find
the officer in charge of quarters
break open the gun racks and get
down as soon as you can and fall
in."

Brawner said he then proceeded to
open the racks, and that he unlocked

(Continued on Page Three.)

GREATER NAVY GAINS VICTORY IN HOUSE

House of Representatives Vote
to Construct Two Big Battle-
ships of Dreadnought Type.

BITTERLY OPPOSED BY MR. BURTON

Points Out We Already Have a
Larger Navy Than Japan. But Mr.
Hull Makes a Vigorous Defense
During Which He Shows We Are
No Longer an Isolated Nation.

(By Associated Press.)

WASHINGTON, D. C., Feb. 15.—
The proceedings of the House today
on the naval appropriation bill were
devoted largely to the consideration
of the question of the increase of the
navy with especial reference to the
necessity for two battleships of the
Dreadnought type. The effort to re-
duce the number was defeated after
a long debate. The proceedings were
opened by a motion made by Mr.
Burton of Ohio to eliminate one of
the big vessels and he made a speech
in support of his own motion, in
which he took occasion to contrast
the American navy with the Japane-
se navy to the detriment of the
latter, showing that with ships now
under construction the navy of the
United States would be nearly two-
thirds larger than that of Japan and
was at present a half larger.

He referred to the number of ships
under construction, some of which
could not be completed until 1912, or
even later, and maintained that there
was no immediate occasion for fur-
ther construction even of the one
battleship now contemplated.

Finally he said that the United
States of all the nations shall still
take the lead in the move for a limi-
tation of armaments, looking hope-
fully forward to the time when peace
and amity should rest among the
whole human race.

Mr. Burton Does Not Expect War.

Continuing, Mr. Burton said: "No
nation on the globe is threatening us,
no nation on the globe will think
lightly of engaging in war with us."

He declared that in England today
the king, prime minister, parliament
and the great majority of the people
are ready and anxious to stand with
us in a movement for the limitation
of armament and concluded with the
declaration that "greatness does not
consist in the strength of government
but in the happiness and the oppor-
tunity of each individual citizen, a
thing far preferable, far more to be
desired than the triumphs of war or
the empty glories of imperial domi-
nion."

The speech was loudly applauded.
Mr. Burton was followed by Mr.
Crumpacker and Mr. Longworth, who
favored the two ships; by Mr. Stain
and by Mr. Underwood, who opposed
the provision.

The galleries were crowded and
much interest was manifested in the
debate.

Mr. Hull's Vigorous Reply.

Mr. Hull of Iowa took a pronoun-
ced stand against the amendment of
Mr. Burton. Referring to a conten-
tion by Mr. Burton that the isolation
of the United States is the best pro-
tection, Mr. Hull said that "he seem-
ed to have forgotten the events of
the last eight years when our splen-
did isolation was left behind with the
result that our flag now touched the
interests of the world at so many
points that we are no longer an iso-
lated nation."

He said that preparedness was the
best argument for peace and that he
was in favor of fighting for peace if
necessary.

Mr. Kittelen of North Carolina fa-
vored the amendment of Mr. Burton
and Representative Grosvenor of Ohio
spoke in favor of an increased navy.

Armor Plate Question.

After further discussion Mr. Bur-
ton's amendment to reduce the num-
ber of battleships was defeated by a
vote of 114 to 143. There ensued the
old fight on the question of armor
plate. Mr. W. W. Kittelen of North
Carolina offered an amendment which
insured the armor of the best quality
for the two battleships mentioned in
the bill; the Secretary of the Navy
shall not contract to pay greater
prices per ton than the prices con-
tracted to be paid for the battleships
South Carolina and Michigan.

He explained that unless this was
amended, the Carnegie factory might
undertake to raise the price. The
amendment was defeated 88 to 114.

Will Have \$95,000,000 to Expend.

With these perplexing problems out
of the way the bill was changed and
the committee of the whole rose.
When the bill was reported to the
House Mr. Wharton of Indiana de-

manded a separate roll call on the
provision appropriating \$100,000 for
an addition to the iron and brass
foundry at the Washington navy yard.
The provision was defeated yeas 108,
nays 162. Then the bill was passed.
It carries an appropriation of \$95,-
000,000.

GIVES LARGE ESTATE TO UNIVERSITY OF VIRGINIA

John Armstrong Chanler Presents
'Varsity With Four Hundred
Acres of Land.

(By Associated Press.)

CHARLOTTESVILLE, VA., Feb.
15.—John Armstrong Chanler, brother
of Lieutenant Governor Chanler,
of New York, has admitted to record
in the Albemarle county clerk's office
a deed conveying his "Merry Mills"
estate, near Cobham, containing four
hundred acres, to the University of
Virginia, to secure a home for such
retired professors of the university
as the board of visitors may design-
ate.

In the preamble of the deed, Chan-
ler gives a history of his estrange-
ment from his family, which, he de-
clares, began on his marriage to
Amelia Rives and culminated nine
years later when, he asserts, his
brothers and sisters, acting through
the instrumentality of the late Stan-
ford White, whom he terms "his false
friend," lured him to New York, "for
the purpose of having him incarcerated
for life in the 'Bloomington' asy-
lum."

PRESIDENT FINLAY TELLS COMMITTEE VERY LITTLE

Investigation of Charges Against
Senator Bailey Progresses
Slowly.

(By Associated Press.)

AUSTIN, TEXAS, Feb. 15.—The
legislative committee investigating
charges against Senator Joseph
Bailey, this afternoon placed A.
N. Finlay, vice president of the
Waters-Pierce Oil Company, on the
stand as the principal witness pend-
ing a committee review of the books
of the oil company.

Mr. Finlay stated that he was made
president when the company was
reorganized in February 1900. He
remained president until May 1901
when Mr. Pierce again became pres-
ident.

The witness did not know any-
thing about the report that Mr.
Pierce had been restored to the
presidency by the Standard Oil
company because of so-called politi-
cal influence exercised by him in
Texas.

Questioned as to a \$1,500 voucher
marked "Henry and Strubbing ac-
count of Texas Case," Mr. Finlay
admitted proving the voucher.

As to a telegram bearing the sig-
nature, "J. H. drawn by J. W. Bu-
lley," he said the writing was his,
but could find no record of the
transaction in his files.

He told of several visits Mr.
Finlay paid the office of the com-
pany in 1900 to see Mr. Pierce.

"What was the understanding
among the officers and the employ-
ees of the Waters-Pierce Oil com-
pany as to the power, or influence
by which the company's troubles in
Texas were overcome and permitted
to continue in Texas?" asked Mr.
Cooke.

"I do not know other than I
Judge Johnson and Mr. Pierce came
to Texas and made a satisfactory
settlement."

ATTEMPT TO DESTROY CRUISER YORKTOWN?

Investigation Shows That Rivets
Were Removed From Boilers,
Apparently Deliberately.

(By Associated Press.)

VALLEJO, CAL., Feb. 15.—It be-
came known today that an inquiry is
being held at the Mare navy yard in
connection with the cruiser York-
town. The Yorktown had been or-
dered to Magdalena to protect Amer-
ican interests in Central America,
but just before starting it was found
that her boilers were leaking badly
and examinations showed that eleven
rivets had been removed, apparently
deliberately.

Had the Yorktown been allowed to
proceed, it is stated, the Bennington
horror would have been duplicated.

The flagship Chicago was dis-
patched South in place of the York-
town.

KILLED IN AUTO ACCIDENT.

Hiram Pickering Has Fatal Fall
From Machine.

(By Associated Press.)

WIKESPARRE, PA., Feb. 15.—
Hiram Pickering of Toga was
killed and Dr. S. P. Hakes was se-
verely hurt today in an automobile
accident on a bridge over the Elk
Horn creek. Pickering and Dr.
Hakes, who is president of the Or-
ange National Bank at Toga, were
making a sharp turn in the road to
the approach to the bridge, when an
axle on the motor car broke. The
machine crashed into the bridge rail.

Pickering was thrown over the
abutment and fell on his head. He
died without regaining consciousness.
Dr. Hakes escaped with several con-
cussions.

JEROME IS READY FOR A LUNACY COMMISSION

If Thaw is Declared Insane He
Is Willing to Give Up the
Prosecution of Case.

THAW'S COUNSEL OUTLINES PLANS

Says if the Case is Continued That
After More Insanity Experts Have
Been Examined, Mrs. Thaw, Jun-
ior, Will Continue the Telling of
Her Story.

(By Associated Press.)

NEW YORK, Feb. 15.—The follow-
ing statement as to District Attorney
Jerome's position as to the insanity
of Larry Thaw was made today:

"Mr. Jerome does not know whether
or not Thaw is insane. None of
his assistants know. None of the ex-
perts retained for the prosecution
know. None of the experts retained
for the prosecution know. These ex-
perts have not had an opportunity to
examine, either as to his physical
condition or his mental calibre. They
are present in court at the trial with
an open mind. They would like to
know if any experts retained for the
defense, some of whom have already
testified, will say authoritatively
that in their opinion Thaw is now
insane. The district attorney will join
with them in the request to the court
for an appointment of a commission
in lunacy to decide on the question
of the defendant's sanity."

Harry McPike of counsel for Thaw
said today:

"When the trial is resumed next
week Mr. Evans will conclude his
testimony and Dr. Wagner will be
called to tell of his conversation with
Thaw, which were ruled out last
week. Then Mr. Thaw's wife
will finish her story, and his
mother will be called as a witness
for the first time. Finally, after Mr.
Thaw's will has been introduced as
evidence, it is probable that the fam-
ily physicians of the Thaw family will
complete their testimony. The atten-
dants will be asked a few final ques-
tions in order to round out the case
and then, unless something now de-
velops, the defense probably will
rest."

Wanted to Raid Apartments.

Dr. Josiah Strong, president of the
American Institute for Social Service,
said today that Harry K. Thaw con-
sulted him more than two years ago
about breaking up a "den of vice" in
this city which was protected by a
wealthy and influential man. Thaw
did not say where it was located, but
Dr. Strong said the young man told
him such a story that it "made his
blood boil."

Dr. Strong added that he referred
Thaw to Anthony Comstock. Death
has again invaded Harry Thaw's en-
vironment. Close on the passing of
the wife of Juror Bolton, one of the
jurors who have to decide the ques-
tion of his guilt or innocence of the
murder of Stanford White, came the
announcement today of the death last
night in a hospital of Michael D.
Downey, who for months had been
Thaw's night keeper on the second
tier of cells in the Tombs, which is
known as "murderers' row." Downey
had been a keeper in the Tombs for
more than 28 years. When Harry
Thaw first came to the Tombs, Downey
did not look with favor on the
new prisoner, but during the long
watches of the night, when Thaw
nosed up and down the narrow cor-
ridors of his cell, a warm friendship
sprang up between the keeper and
the prisoner. When Downey is buried
tomorrow a wreath bearing
Thaw's card will rest on the casket.

Thaw sent the order for the flow-
ers to Warden Flynn soon after he
heard of the keeper's death.

Rockefeller's Wife Ill.

(By Associated Press.)

ROCKFORD, ILL., Feb. 15.—John D.
Rockefeller, who has been here for a
month, left suddenly for New York
last night, on receipt of a telegram
announcing the illness of his wife.
He was not accompanied by any of
his family. He had expected to re-
main until after the winter had
passed.

Negro Murderer Hanged.

(By Associated Press.)

BARBOURVILLE, KY., Feb. 15.—
Justice Fitzgerald, a negro, was exe-
cuted today for the murder of Mrs.
Robert Broughton in August last.
Fitzgerald's request that the black
cap be not put over his face was
complied with.

He Murdered a Fellow Convict.

(By Associated Press.)

EDDYVILLE, KY., Feb. 15.—Ben
Huffaker, a negro, was hanged here
today. Huffaker was a life convict
in the penitentiary and he murdered
a fellow convict.